

DEC 14 2005

IAP4 Receipt/PTO 14 DEC 2005

PTO/SB/21 (09-04)

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)



		Application Number	10/540,803
		Filing Date	June 23, 2005
		First Named Inventor	Green, Daniel T.
		Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission	16	Attorney Docket Number	022354-000310US

## ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form - 1 pg in duplicate (2 pgs total)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address (1 pg)	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request (1 pg)	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Declaration (1 pg); Supplemental ADS (3 pgs); Statement Under 3.73(b) (1 pg); Copy of Assignment (2 pgs); Copy of Notification of Missing Requirements (2 pgs); and Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application (2 pgs)	<input type="checkbox"/> Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Randolph Ted Apple		
Date	December 14, 2005	Reg. No.	36,429

## CERTIFICATE OF TRANSMISSION/MAILING

EXPRESS MAIL LABEL NO.: EV 529 865 877 US

Rec'd PCT/US 14 DEC 2005

PTO/SB/17 (12-04)



Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## Fee TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 125)

Complete if Known	
Application Number	10/540,803
Filing Date	June 23, 2005
First Named Inventor	Green, Daniel T.
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	022354-000310US

### METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_  
 Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

#### 2. EXCESS CLAIM FEES

Fee Description Small Entity  
 Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent Fee (\$) Fee (\$)  
 50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent Fee (\$) Fee (\$)  
 200 100  
 Multiple dependent claims Fee (\$) Fee (\$)  
 360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
-20 or HP =	x	=		<u>Fee (\$)</u> <u>Fee Paid (\$)</u>

HP = highest number of total claims paid for, if greater than 20

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
-3 or HP =	x	=		<u>Fee (\$)</u> <u>Fee Paid (\$)</u>

HP = highest number of independent claims paid for, if greater than 3

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Surcharge for late filing of Declaration; and	65
Petition for Extension of Time (1 month)	60

### SUBMITTED BY

Signature		Registration No. 36,429 (Attorney/Agent)	Telephone 650-326-2400
Name (Print/Type)	Randolph Ted Apple		Date December 14, 2005

Rec'd PCT/PTO 14 DEC 2005

PATENT

EXPRESS MAIL LABEL NO.:  
EV 529 865 877 US

Attorney Docket No.: 022354-000310US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Daniel GREEN et al.

Application No.: 10/540,803

Filed: June 23, 2005

For: COMPOSITIONS AND METHODS  
FOR THE PREVENTION AND  
CONTROL OF INSULIN-INDUCED  
HYPOGLYCEMIA

Customer No.: 20350

Confirmation No.: 7164

Examiner: Unassigned

Art Unit: Unassigned

TRANSMITTAL LETTER –  
RESPONSE TO NOTICE OF MISSING  
PARTS

Attn: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notification of Missing Requirements under 35 U.S.C. 371 dated October 11, 2005, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration;
- 2) Supplemental ADS;
- 3) Power of Attorney and Certificate of Assignee Under 37 C.F.R. § 3.73(b);  
12/22/2005 MKAYPAGH 00000116 201430 10540803
- 4) Copy of Assignment;
- 5) Petition to Extend Time; and
- 6) Copy of Notice of Missing Parts.

Please charge Deposit Account No. 20-1430 for the following fees:

Rec'd PCT/PTO 14 DEC 2005

Daniel GREEN et al.  
Application No.: 10/540,803  
Page 2

PATENT

Small Entity:	(a) Missing Parts Surcharge	\$65
	(b) Petition to Extend Time (1 month)	\$60
	<b>TOTAL FEES TO BE CHARGED</b>	<b>\$125</b>

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430 as authorized on the enclosed Fee Transmittal Form.

Date: 14 December 2005

Respectfully submitted,

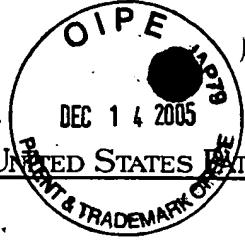


Randolph Ted Apple  
Reg. No. 36,429

**Customer No. 20350**

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 415 576-0300  
RTA:sej

60658362 v1



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO, 14 DEC 2005 Page 1 of 2 RMA

022354-000310US  
RTA PA

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,803	Daniel Green	022354-000310US

20350  
TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

INTERNATIONAL APPLICATION NO.

PCT/US03/41103

I.A. FILING DATE	PRIORITY DATE
12/23/2003	12/27/2002

CONFIRMATION NO. 7164

371 FORMALITIES LETTER



\*OC000000017160682\*

Response Due 12/11/05

Date Mailed: 10/11/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/25/2005
- Copy of the International Search Report filed on 06/25/2005
- Small Entity Statement filed on 06/25/2005
- U.S. Basic National Fees filed on 06/25/2005
- Priority Documents filed on 06/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

BMC

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

---

Telephone: (703) 308-9140 EXT 203

**PART 1 - ATTORNEY/APPLICANT COPY**

---

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,803	PCT/US03/41103	022354-000310US

FORM PCT/DO/EO/905 (371 Formalities Notice)